



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Kathleen Clarke
Executive Director

Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

March 9, 2000

Harold E. Davis
H.E. Davis & Sons
525 West Arrowhead Trail
Spanish Fork, Utah 84660

Re: Change in File Status and Acceptance of Notice of Intention to Commence Small Mining Operations, Chicken Creek Mine, S/023/055, Juab County, Utah

Dear Mr. Davis:

In January, 1998 the United States Forest Service (USFS) forwarded a copy of your Chicken Creek Plan to this Division. The USFS found your plan to be deficient. In March, 1998, we forwarded a copy of the Division rules and our Notice of Intention to Commence Large Mining Operations (LMO) form to you. In September, 1998, we received your LMO which was also very deficient. You were informed that the Division would suspend review of the LMO until more detail was submitted.

On February 15, 2000, you informed us that you would not be going forward with the LMO but wanted only to pursue a small mining operation at this time. On February 22, 2000, we received your Notice of Intention to Commence Small Mining Operations. The file status of the Chicken Creek Mine has now been changed from a Large Mining Operation to a Small Mining Operation. The file number will remain the same except the "M" will be changed to an "S" (from M/023/055 to S/023/055).

The application for the proposed Chicken Creek Mine located in portions of Section 34, T14S, R1E, SLBM, Juab County, Utah on USFS and private lands is considered complete and no additional information is required by the Division at this time. As you have paid the permit fee for M/023/055 for the 1999 fiscal year, a fee application will not be required for this new submission. The annual fee for your small mining operation, which will be due in July, 2000, will now be \$100.00. A billing statement will be sent to you at that time.

Please be advised that you are not allowed to create any disturbance on the USFS lands until you have met their requirements and received their written approval. When you receive the USFS approval, please send us a copy of their approval and inform us when you start operations.

For your reference, I have enclosed copies of our summarized rules regarding "Operation and Reclamation Practices," and the statutory penalty for failure to reclaim a minesite (SMO-1). Please give special consideration to item #10 of the "Operation and Reclamation Practices. Stockpiling topsoil material prior to beginning your mining operation will help ensure successful revegetation efforts upon final

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reclamation of the minesite. If the area being mined is a solid rock outcrop, or if the land surface is very rocky, then soil stockpiling is probably not possible. However, even the first few inches of undeveloped material is worth saving to aid in later revegetation efforts, and future regulatory release from reclamation requirements.

Should you wish to expand your operation beyond the five (5) acre limitation, please notify this office as soon as possible to discuss the necessary permitting requirements. Approval of a large mining notice could take from six to twelve months or longer.

A Memorandum of Understanding between this Division and the State Department of Environmental Quality (DEQ) requires us to notify them upon receipt of a mining application. If you haven't already done so, you are advised to contact their office prior to starting your small mining operation to determine whether additional permits and/or approvals are required. We have forwarded a copy of your notice to the DEQ for their review. Their address and phone number is: Department of Environmental Quality, 288 North 1460 West, Salt Lake City, Utah, 84116, (801) 538-6146.

Thank you for your cooperation. When in the area, a member of the Division staff will examine the site. Best wishes with your mining operation.

Sincerely,



Tom Munson
Senior Reclamation Specialist

jb
Enclosure
cc: Will Wilson, USFS, Ferron Dist.
Tracking File
S23-55-apv